

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 8, 2006**

DIVISION ONE

B186570      Los Angeles County, D.C.S.      (Not for Publication)  
                 Shawana R.

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                 Rothschild, J.

B183736      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Michael O. et al.

The June 9, 2005, order denying Frances' section 388 petition is reversed. The order restricting visitation and the June 14, 2005, order terminating parental rights are vacated. On remand, the matter is to be reassigned to a different judicial officer of the dependency court who shall enter a new order directing the Department to return the children to their parents' custody (unless new circumstances would justify a new detriment finding). The dependency court shall determine whether to implement a family maintenance plan or to terminate dependency jurisdiction altogether. If the court maintains jurisdiction, it shall order the Department to assign the case to a new social worker with the necessary skills, experience and training to address any remaining concerns in this case.

Rothschild, J.

We concur:   Spencer, P.J.  
                 Vogel (Miriam A.), J.

February 8, 2006 (Continued)

## DIVISION ONE (Continued)

B179980      People  
v.  
Gossett

The Court:

We construe defendant’s supplemental opening brief as a petition for rehearing. The petition for rehearing is denied because the seven year, four-month sentence imposed was the sentence to which defendant agreed in the plea bargain. The misrepresentation of which defendant complains, if it occurred, had no bearing on the agreed sentence.

DIVISION TWO

B184180 People (Not for Publication)  
v.  
Carrillo

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

B175776 Karapetian  
v.  
Garibian & Assoc.

Filed order denying opinion for publication.

DIVISION THREE

B180909      Johns  
v.  
Los Angeles County Civil Service Commission

Filed order modifying opinion. (No change in the judgment)

DIVISION THREE (Continued)

B180895      Royal Airline Linen, et al.                      (Not for Publication)  
                 v.  
                 Glabman, et al.

The trial court's order granting a preliminary injunction dated January 28, 2005, is modified by striking the following words from paragraph 7 (page 5, lines 19-21) of such order: "for any existing customer of plaintiffs" and substitution in their place and stead: "where such performance, offer of performance or solicitation of performance in any way is based on, utilizes, relies upon or makes use of any confidential or proprietary information received from plaintiffs on or before August 13, 2004, and which was not already known to the defendants from sources other than the plaintiffs." As so modified, the order granting such preliminary injunction is affirmed. Each party shall bear its own costs on appeal.

Croskey, J.

We concur:   Klein, P.J.  
                   Kitching, J.

B186482      Los Angeles County, D.C.S.                      (Not for Publication)  
                 v.  
                 Jeana M.

The appeal is dismissed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                   Kitching, J.

February 8, 2006 (Continued)

### DIVISION THREE (Continued)

[illegible]

The order is affirmed. Trevor is to pay costs on appeal.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

B182337      Los Angeles County, D.C.S.      (Not for Publication)  
v.  
Norma H., et al.

The order is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                      Kitching, J.

## DIVISION FOUR

B181664      Cortez      (Certified for Publication)  
v.  
Workers Compensation Appeals Board  
C.T. & F, Inc., Respondent

The Board's decision is affirmed.

Epstein, P.J.

We concur: Hastings, J.  
Curry, J.

February 8, 2006 (Continued)

DIVISION FOUR (Continued)

B165217      Pacific Coin Management                      (Not for Publication)  
                 v.  
                 BR Telephony Partners et al.

The judgment is affirmed. Respondent(s) to recover costs.

Hastings, Acting P.J.

I concur:      Curry, J.  
I dissent:      Zelon, J. (Assigned) (Opinion)

DIVISION FIVE

Court reconvened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Kriegler, J. and C. Adams, Deputy Clerk.

Each of the following:

B185384      DCFS v. Rut W.  
B187470      People v. Almeida  
B187978      People v. Foster  
B187126      People v. Lord  
B187284      Jeffrey O. v. S.C.L.A.  
B185582      DCFS v. Dorothy F.  
B183116      People v. McElroy

Argument waived, cause submitted.

B181950      People  
                 v.  
                 Mostafa Noori and Bijan Mehidipanah

Merits:

Argued by Cheryl Barnes Johnson for appellant Mostafa Noori, by Carol S. Boyk for appellant Bijan Mehdipanah and by Lance E. Winters, Deputy Attorney General argued for respondent. Cause submitted.

DIVISION FIVE (Continued)

B179610     People  
              v.  
              Robert Vincent Jones and Arthur J. Ross

Merits:

Argued by Victoria H. Stafford for appellant Arthur J. Ross, by Marylou Hillberg for appellant Robert Vincent Jones and by Roy C. Preminger, Deputy Attorney General for respondent. Submission is deferred for 10 days from this date to allow the parties to brief the issue of whether the judgment as to count 1 should be reduced to felony false imprisonment in violation of Penal Code 237, subdivision (a). The responses may be in letter brief format and filed via facsimile transmission.

B179837     William Campbell, Inc.  
              v.  
              Robert Campbell etc

Merits:

Argued by Jonathan Ross Hickman for appellant and by Miguel Fernando Avila for respondent. Cause submitted.

B183042     Peter Hoffman  
              v.  
              Michael Chodos et al

Merits:

Argued by Peter Hoffman for appellant and by Rafael Chodos et al for respondent. Cause submitted.

B181020     People  
              v.  
              Joaquin S. Reyes

Merits:

Argued by Susan K. Keiser for appellant and by Deborah H. Chuang, Deputy Attorney General for respondent. Cause submitted.

Court recessed at 10:50 a.m.

February 8, 2006 (Continued)

DIVISION FIVE (Continued)

Court reconvened at 11:00 a.m.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J. and C. Adams, Deputy Clerk.

Each of the following:

B182572     People v. Sandberg

B181123     People v. Baldwin

Argument waived, cause submitted.

B180955     People  
                 v.  
                 Franscisco T.

Merits:

Argued by Anne E. Fragasso for appellant and by Viet H. Nguyen Deputy Attorney General for respondent. Cause submitted.

B180914     John Levin  
                 v.  
                 City of Los Angeles

Merits:

Argued by Fred N. Gaines for appellant and by Jolaine Harless, Deputy City Attorney for respondent. Cause submitted.

Court recessed at 12:08 p.m.

Court reconvened at 1:00 p.m.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J. and C. Adams, Deputy Clerk.

Each of the following:

B181113     People v. Kimball

B181280     Klika v. Kanim

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B180428     People  
              v.  
              David M. Baioa

Merits:  
Argued by Catherine F. Campbell for appellant and by David E. Madeo,  
Deputy Attorney General for respondent. Cause submitted.

B177483     MAP Partnership et al  
              v.  
              Collins Commercial Corp

Merits:  
Argued by Daniel U. Smith for appellant and by Lee Dresie for respondent.  
Cause submitted.

Court recessed at 1:53 p.m.

Court reconvened at 4:00 p.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and C. Adams, Deputy Clerk.

B188885     Lisa Pope  
              v.  
              Los Angeles Superior Court  
              Richard H. Carrigan, et al.,

Merits:  
Argued by Christi Hogin for petitioner and by Frederic D. Woocher for real  
parties in interest. Cause submitted.

Court adjourned.

DIVISION SIX

Court convened at 9:00 a.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B178000     People v. Cars 4 Causes  
B185389     Zandra G. v. William H.

Argument continued to March, 2006.

B184388     Human Services Agency  
               v.  
               Margaret P.

Merits:

Argued by Linda Stevenson, Assistant County Counsel, for respondent.  
Argument previously waived by appellant. Cause submitted.

B180104     Finkbeiner  
               v.  
               Gavid

Merits:

Argued by Wendy C. Lascher for appellant and argument waived pursuant  
to Rule 17(a)(2), Calif. Rules of Court, for respondents. Cause submitted.

B178473     Camacho  
               v.  
               Meridian Neurocare

Merits:

Argued by Wendy S. Albers for appellant and by Wendy C. Lascher for  
respondents. Cause submitted.

DIVISION SIX (Continued)

B176714     Baugh  
              v.  
              Garl

Merits:

Argued by Scott London for appellants and by Todd Adams Amspoker for respondents. Cause submitted.

B179934     Hewitt  
              v.  
              Wal-Mart Stores, Inc.

Merits:

Argued by Robert Patrick Jennings for appellant and by Gary Dale Britton for respondents. Cause submitted.

Perren, J. left the bench.

B176232     Geffeken  
              v.  
              D'Andrea

Merits:

Argued by Nicholas Weimer for appellants, by Alan E. Greenberg for respondent Montecito Retirement Assoc., by Mary-Christine Sungalia for respondent El Escorial Owners' Assoc. et al., and by Barton C. Merrill for respondents Commercial & Industrial Constructors, Inc. and R.J. Carroll & Sons Plumbing, Inc. John C. Lauritsen appeared for respondents D'Andrea et al. and did not argue. Cause submitted.

Court recessed at 10:35 a.m.

Court reconvened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

DIVISION SIX (Continued)

Each of the following:

B187199     FTR International v. Ventura Co. Superior Court (Rio School Dist.)  
B187400     Rio School Dist. v. Ventura Co. Superior Court (FTR International)

Presentation of argument continued to March, 2006.

B181905     McGovern  
                 v.  
                 Karcis

Merits:

In open court Jeffrey F. Ryan, Esq.'s request to represent appellant as counsel of record on appeal is granted. Jeffrey F. Ryan, Esq. is directed to serve and file the appropriate paperwork with this court within twenty-four (24) hours.

Argued by Jeffrey F. Ryan for appellant and by Morton A. Kamzan for respondent. Cause submitted.

B182521     Cervera  
                 v.  
                 Carter

Merits:

Argued by Timothy T. Tierney for appellant and by Shenne Jennifer Hahn for respondents. Cause submitted.

B181436     Marriage  
                 of  
                 Petersen

Merits:

Argued by Alexander Petersen, appellant, appearing in propria persona and by William R. Robinson for respondent. Cause submitted.

February 8, 2006 (Continued)

## DIVISION SIX (Continued)

B176315      M & H Glass  
v.  
Rimar Trust

Merits:

Argued by Ron S. Kaufmann for appellants, by Matthew P. Guasco for respondent Rimar Trust, and by David R. Krause-Leemon for respondent American Title Co. Cause submitted.

Gilbert, P.J. left the bench.

B183127      Public Guardian  
v.  
Starkey

Merits:

Argued by Victoria Starkey, appellant, appearing in propria persona and by Jerry F. Czuleger, Senior Deputy County Counsel, for respondent. Cause submitted.

Court adjourned.

## DIVISION SEVEN

[illegible]

The judgment is affirmed.

Johnson, J.

We concur: Perluss, P.J.  
Zelon, J.

## DIVISION SEVEN (Continued)

[illegible]

Probation condition 15 is modified to read, "Do not associate with anyone known to you to be disapproved of by your parents or probation officer." As modified, the juvenile court's order is affirmed.

Johnson, J.

We concur: Perluss, P.J.  
Woods, J.

B179966      Andrews      (Not for Publication)  
v.  
USF Insurance Company

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur: Perluss, P.J.  
Zelon, J.

B180346      Lane      (Not for Publication)  
v.  
Shamoilzadeh

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur: Perluss, P.J.  
Zelon, J.

February 8, 2006 (Continued)

DIVISION SEVEN (Continued)

B180211 Sanchez (Not for Publication)  
v.  
City of Pasadena et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Johnson, J.

We concur: Perluss, P.J.  
Woods, J.

B183857 People  
v.  
Haboud

Filed order denying petition for rehearing.

## DIVISION EIGHT

B176302 Martha Cervera (Not for Publication)  
v.  
Thomas J. Jeffers, Jr.,  
The Salvation Army

The judgment is affirmed. Each side shall bear their own costs on appeal.

Rubin, Acting P.J.

We concur: Boland, J.  
Flier, J.

DIVISION EIGHT (Continued)

B177646 William Dickerhoof (Not for Publication)

v.

Associated Mortgage Corporation et al.,

The cause is remanded to the trial court with instructions to modify the judgment to hold Geri Garner jointly and severally liable along with her husband Clifford Garner. As modified, the judgment is affirmed.

Respondents are to recover their costs on appeal.

Boland, J.

We concur: Cooper, P.J.

Flier, J.

B181348 Raymond Foster (Not for Publication)

v.

Precision Automotive Brake Supply et al.,

The order setting aside the judgment as to respondent is affirmed.

Respondent to recover costs on appeal.

Rubin, J.

We concur: Cooper, P.J.

Boland, J.